SINGLE BENCH

IN THE HIGH COURT OF JUDICATURE AT BILASPUR [C.G.]

WRIT PETITION NO. 3212 **/2006**

PETITIONERS

1. **Tulsi Ram Yadav S/o** Uday Ram Aged-about 50 years, R/o village & post- Simga, Distt.- Raipur [C.G.]
2. Net Ram Mehar S/o Beer Singh, R/o village & post- Jarod, Tahsil- Simga, Distt.- Raipur [C.G.]
3. Smt. Ganeshiya Bai Yadav W/o Bishahu, R/o village- Khokhali, post- Jarod, Tahsil- Bhatapara, Distt.- Raipur [C.G.]
4. Azoo Ram Sahu S/o Samay Ram R/o village & post- Tarenga, Distt.- Raipur [C.G.]
5. Anjorba Satnami S/o Udhav R/o village Rajadhar, post- Gurra, Bhantapara Distt.- Raipur [C.G.]
6. Bansilal Yadav S/o Johan Yadav R/o village & post- Datrengi, Bhantapara, Distt.- Raipur [C.G.]
7. Bhagvati Prasad Yadav S/oNand Ram Yadav R/o village & post- Bhantapara, Distt.- Raipur [C.G.]
8. Ramadhar Verma S/o Harilal R/o village- Surajpura, post- Datrengi Bhatapara, Distt.- Raipur [C.G.]
9. Rameshwar Dhruv S/o Kartik Dhruv R/o village Surkhi, post- Bizaradih, Bhantapara, Distt.- Raipur [C.G.]
10. Sant Ram Nishad S/o Johan Prasad R/o village & post- Teldamevra, Tahsil- Tilda, Distt.- Raipur [C.G.]
11. Deolal Varma S/o Nathuram R/o village Charoda, post- Deori, Distt.- Raipur [C.G.]

RECEIVED-COPY
5/5/06
CLERK to A. G. BILASPUR

P.R. No. 24324/6
Presented by Sh. Sanjay Pandey
dated 5/5/06

ADVOCATE
APARNA MALVIYA
CG-2073/96
Chhattisgarh

12. Pardeshi Varma S/o Itwari R/o village & post- Kesada, Tahsil-Simga, Distt.- Raipur [C.G.]

13. Smt. Khediya Bai D/o Bisnath, R/o village & post- Bhantapara, Distt.- Raipur [C.G.]

14. Samelal Yadav S/o Parau R/o village & post- Kesada, Tahsil- Simga, Distt.- Raipur [C.G.]

15. Ramhan Dhruv S/o Bhagela, R/o village Khairee, post- Gurra, Distt.- Raipur [C.G.]

16. Ram Singh Yadav S/o Shri Ram R/o village Khairee, post- Gurra, Distt.- Raipur [C.G.]

17. Prahalad Varma S/o Kali Ram village & post- Deori, Bhantapara Distt.- Raipur [C.G.]

Delete(a) as per the Hon'ble court's order dated 4/7/08 in the court room. Sanjay 4/7/08 (Sanjay Patel) Advocate

18. Ramadhar Varma S/o Harilal, village Surajpura, post- Datrengi, Distt.- Raipur [C.G.]

VERSUS

RESPONDENTS

1.State of Chhattisgarh
Through- Secretary
Public works Department
D.K.S.Bhawan, Raipur [C.G.]

2.Engineer in Chief
Public works Department
D.K.S.Bhawan, Raipur [C.G.]

3.Sub Divisional Officer
Public works Department
Bhantapara, Raipur [C.G.]

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

(96)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक WPS 3212/06 **सन् 200**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	4-7-2006:- Shri Sanjay Patel, counsel for the petitioners. Miss Dipali Pandey, Panel Lawyer for respondents No.1 to 3, on advance copy. Heard on I.A.No.6351/2006, application for deletion of the name of petitioner No.18 Ramadhar Varma on the ground that on account of typographical mistake the name of Ramadhar Varma has been typed out at Sr. Nos.8 and 18. The application is allowed and it is directed that the name of Ramadhar Varma appearing at Sr. No.18 be struck out immediately. Heard learned counsel for the petitioners on admission. The main grievance of the petitioners is that they are permanent Gangman and working in the Public Works Department since last 25 years, even then they are not being regularized and the salary on the ground of equal work and equal pay is not being provided to them. The petitioner's case is that the erstwhile State of Madhya Pradesh framed service Rules for the Gangman as Madhya Pradesh Gangman Service Rules, 1996 (for short the Rules, 1996) and these rules came into force w.e.f. 1.1.96. As per these rules the Gangmen who have worked for about 25 years shall be regularized and salary will also be paid to them. The petitioners have requisite qualifications for regularization. The petitioners moved representations but all in vein, therefore, it has been prayed that respondents be directed to regularize the services of the petitioners. Learned counsel for the petitioners submitted that the petitioners are working since last 25 years i.e. before 31st December 1998 and they are permanent Gangmen, therefore, they are entitled for regularization as	

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक ..... सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

per the Rules, 1996 but their case is not being considered in spite of representations made by the petitioners.

Learned counsel for the petitioners further submitted that, therefore, respondent No.2 be directed to ensure that the cases of the petitioners are considered in accordance with Rules 5 and 7 of the Rules, 1996 for their regularization to which learned counsel for respondents has no objection.

Having heard learned counsel for the parties, having perused the record and the Rules, 1996, without expressing any opinion on the merit of the case of each of the petitioners, respondent No.2 is directed to direct concerned Executive Engineer to consider the cases of the petitioners and to examine and scrutinize the case of each of the petitioners for their regularization in accordance with Rules, 1996, particularly, Rules 5 and 7 of the Rules, 1996. This exercise should be completed within a period of 3 months from today.

With the direction aforesaid, the petition stands disposed of.

Consequently, I.A. No.6350/2006 stands disposed of.

Parties are entitled for certified copy of this order.

Sd/-
L.C. Bhadoo
Judge

Barve